



DEPARTMENT OF AGRICULTURE

Rural Utilities Service

[Docket No. RUS-22-AGENCY-0036]

60-Day Notice of Proposed Information Collection: Wholesale Contracts for the Purchase and Sale of Electric Power; OMB Control No.: 0572-0089

AGENCY: Rural Utilities Service, Agriculture (USDA).

ACTION: Notice; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the United States Department of Agriculture (USDA), Rural Utilities Service (RUS), announces its' intention to request an extension of a currently approved information collection and invites comments on this information collection.

DATES: Comments on this notice must be received by [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] to be assured of consideration.

ADDRESSES: Comments may be submitted electronically by the Federal eRulemaking Portal:

Go to <https://www.regulations.gov> and, in the "Search Field" box, labeled "Search for Rules, Proposed Rules, Notices or Supporting Documents," enter the following docket number: (RUS-22-AGENCY-0036). To submit or view public comments, click the "Search" button, select the "Documents" tab, then select the following document title: (60-Day Notice of Proposed Information Collection: Wholesale Contracts for the Purchase and Sale of Electric Power; OMB Control No.: 0572-0089) from the "Search Results" and select the "Comment" button. Before inputting your comments, you may also review the "Commenter's Checklist" (optional). Insert your comments under the "Comment" title, click "Browse" to attach files (if available). Input your email address and select "Submit Comment."

Information on using Regulations.gov, including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available through the site's "FAQ" link.

Other Information: Additional information about Rural Development and its programs is available on the Internet at <https://www.rd.usda.gov>.

All comments will be available for public inspection online at the Federal eRulemaking Portal (<https://www.regulations.gov>).

FOR FURTHER INFORMATION CONTACT: Crystal Pemberton, Management Analyst, Branch 1, Rural Development Innovation Center – Regulations Management Division, United States Department of Agriculture, 1400 Independence Avenue SW, South Building, Washington, DC 20250-1522. Telephone: (202) 260-8621. Email: Crystal.Pemberton@usda.gov.

SUPPLEMENTARY INFORMATION:

The Office of Management and Budget's (OMB) regulation (5 CFR part 1320) implementing provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104–13) requires that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)). This notice identifies the following information collection that RUS is submitting to OMB as extension to an existing collection with Agency adjustment.

Title: Wholesale Contracts for the Purchase and Sale of Electric Power.

OMB Control Number: 0572-0089.

Expiration Date of Approval: November 30, 2022.

Type of Request: Extension of a currently approved information collection.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 6 hours per response.

Respondents: Small business or other for-profit; not-for-profit organizations.

Estimated Number of Respondents: 10.

Estimated Number of Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: 60 hours.

Abstract: Most RUS financed electric systems are cooperatives and are organized in a two-tiered structure. Retail customers are members of the distribution system that provides electricity to their homes and business. Distribution cooperatives, in turn, are members of power supply cooperatives, also known as generation and transmission cooperatives (G&T's) that generate or purchase power and transmit the power to the distribution systems.

For a distribution system, a lien on the borrower's assets generally represents adequate security. However, since most G&T revenues flow from its distribution members, RUS requires, as a condition of a loan or loan guarantee to a G&T the long-term requirements wholesale power contract (WPC) to purchase their power from the G&T at rates that cover all the G&T's expenses, including debt service and margins. RUS considers Form 444 as an example for the G&T's to utilize as either their WPC or create their own WPC if it has all the same information as the form. The WPC is specialized based on the combined requirements of the G&T and its members. The WPC is used by RUS G&T borrowers to enter into agreement with their distribution members for purchase of power from the G&T. The WPC is prepared and executed by the G&T and each member and by RUS and the information allows RUS to determine credit quality and credit worthiness to determine repayment ability for loans and loan guarantees.

Comments are invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(b) the accuracy of the agency's estimate of the burden of the collection of information including the validity of the methodology and assumptions used;

(c) ways to enhance the quality, utility and clarity of the information to be collected; and

(d) ways to minimize the burden of the collection of information on respondents, including the use of appropriate automated, electronic, mechanical, or other technological

collection techniques or other forms of information technology. All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

Copies of this information collection can be obtained from Crystal Pemberton, Rural Development Innovation Center – Regulations Management Division, at (202) 260-862. Email: Crystal.Pemberton@usda.gov.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Christopher McLean,

Acting Administrator,

Rural Utilities Service.

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